

In re Reissue Application :  
of U.S. Patent No. 5,831,944

NAOKI NISHIMURA

Application No.: 09/704,703

Filed: November 3, 2000

For: MAGNETO-OPTICAL RECORDING  
MEDIUM AND METHOD FOR  
REPRODUCING INFORMATION FROM  
A MAGNETO-OPTICAL RECORDING  
MEDIUM HAVING THREE LAYERS

Docket No. 03560.001008.36

Examiner: A. Neyzari

Group Art Unit: 2655

Date: April 8, 2004

THE COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**APR 13 2004**

**Technology Center 2600**

Sir:

Transmitted herewith is a Supplemental Amendment in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	* 3	MINUS	** 20	= 0	x \$9 \$18	\$0.00
INDEP. CLAIMS	* 1	MINUS	*** 5	= 0	x \$43 \$86	\$0.00
Fee for Multiple Dependent claims \$145°/\$290						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT---						\$0.00

- \* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.  
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

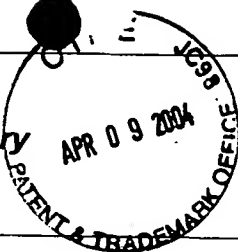
- ☐ Verified Statement claiming small entity status is enclosed, if not filed previously.
- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Charge \$\_\_\_\_\_ to Deposit Account No. 06-1205. A duplicate copy of this sheet is enclosed.
- ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate copy of this paper is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the fee for a \_\_\_\_\_ month extension is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the Information Disclosure Statement fee is enclosed.
- ☒ Applicant's 'undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Brendan Mee  
Attorney for Applicant  
Registration No. 43,391

FITZPATRICK, CELLA, HARPER & SCINTO  
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**Interview Summary**

Application No.

09/704,703

Applicant(s)

NISHIMURA, NAOKI

Examiner

ALI NEYZARI

Art Unit

2655

All participants (applicant, applicant's representative, PTO personnel):

(1) ALI NEYZARI

(3) \_\_\_\_\_

(2) Brendan Mee

(4) \_\_\_\_\_

Date of Interview: 11 March 2004Type: a) ☒ Telephonic b) ☐ Video Conferencec) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 1, 2 and 8

Identification of prior art discussed: \_\_\_\_\_

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Please see attached sheet

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

1. The first paragraph of the specification, is incomplete. The first paragraph does not list copending, related reissue application. SN 10/342,217. It is suggested that applicant provide an amendment which directs the cancellation of the first paragraph of the substitute specification and submit a replacement amendment, wherein the amendment lists all of the related reissues and their associations.
2. It appears as though the numbered amendment F<sub>3</sub> was in error. It is assumed that applicant did not intend to cancel the majority of column 7 in its entirety, but rather starting from the last two lines of column 7 through column 8, line 14. Please call applicant's representative to confirm and if this is correct, have applicant submit an amendment which replaces the deleted paragraphs. Technically this amendment should not have been entered in the first place. Any amendment which is going to delete more paragraphs than inserting, should have bracketing around the original paragraphs that will no longer be part of the original specification.
3. As long as we are having applicant submitting amendment for items 1 and 2 above, have them also re-submit amendment D (i.e., claim 8) in compliance with rule 1.173 (i.e., instead of hand underlining the claim).
4. There has only been one declaration submitted in the application, despite the numerous amendments. As it now stands, the original error stated in the sole declaration, no longer holds (i.e., this error is no longer being corrected apparently). A new declaration is required, with a new error statement, and specifically stating that all errors up until the filing of the new declaration was in error without deceptive intent.